



# PUBLIC NOTICE

**File Number: NRS 14.142**

---

Pursuant to Chapter 0400-4-7 of the Department's rules, the proposed activity described below has been submitted for approval under an Aquatic Resource Alteration Permit and §401 Water Quality Certification. This notice is intended to inform interested parties of this permit application and to ask for comments and information necessary to determine possible impacts to water quality. No decision has been made whether to issue or deny this application.

**APPLICANT:** Kevin R. Pigott  
U.S. Army Corps of Engineers  
167 North Main Street, B-202  
Memphis, TN 38103-1894  
901-544-4309

**LOCATION:** Lateral D Ditch Project, Farmington Blvd, Germantown, Shelby County  
(Lat:35.095968/Lon:-89.778848)

**PROJECT DESCRIPTION:**

Impact 1: Latitude: 35.095968 Longitude: -89.778848  
Lateral D (tributary to the Wolf River)

To prevent damage to a sanitary sewer crossing the applicant proposes to repair a head cut by placing a trapezoidal three-stepped weir of reinforced concrete and sheet pile with baffle blocks. Existing grouted riprap would be removed and replaced with 653 cubic yards of reinforced concrete and 11,100 square feet of sheet piling. Baffle block would be placed on the reinforced concrete. Adjoining the bottom step would be a R-400 grouted riprap outlet apron 20' wide by 50 feet long. The entire foot print of the project would be 125' wide by 460 feet in length.

**DEGRADATION:** In accordance with the Tennessee Antidegradation Statement (Rule 0400-40-03-.06), the division has determined that the proposed activities will not result in degradation to water quality.

**WATERSHED / WATERBODY DESCRIPTION:** Lateral D flow into the Wolf River Watershed. This watershed encompasses includes parts of Fayette, Hardeman, and Shelby Counties. It drains approximately 819 square miles, 561 square miles of which are in Tennessee, and empties to the Mississippi River Watershed. For more information on this watershed please visit <http://www.state.tn.us/environment/water/watersheds/lower-tennessee-river.shtml>

Lateral D (TN08010210002\_0999) is in the Loess Plains (74b). The channel dimensions are as follows: channel bottom width 75-90, channel top width 100-125, water depth 0, and bank height

15-25 feet. Typical substrate in this section is comprised of concrete. The land use is predominantly suburban residential.

Lateral D is listed as Misc. tributaries to Wolf River between Fletcher Creek and Grays Creek. It is listed as unassessed.

**Stream Name / ID #:** Lateral D (TN08010210002\_0999)

**Ecoregion:** Loess Plains (74b)

**Stream Dimension:** Channel bottom width 75-90  
Chanel top width 100-125  
Water depth 0  
Bank height 15-25

**Substrate:** Concrete/Rubble

<b>Designated Use</b>	<b>Use Support</b>
-----------------------	--------------------

Fish and aquatic life	not assessed
-----------------------	--------------

Recreation	not assessed
------------	--------------

Industrial water supply	not assessed
-------------------------	--------------

Irrigation	not assessed
------------	--------------

Livestock watering & wildlife	not assessed
-------------------------------	--------------

**PERMIT COORDINATOR:** Brian Canada

**FACTORS CONSIDERED:** In deciding whether to issue or deny a permit, the department will consider all comments of record and the requirements of applicable federal and state laws. In making this decision, a determination will be made regarding the lost value of the resource compared to the value of any proposed mitigation. The department shall consider practicable alternatives to the alteration. The department shall also consider loss of waters or habitat, diminishment in biological diversity, cumulative or secondary impacts to the water resource, and adverse impact to unique, high quality, or impaired waters.

**COMMENTING:** Persons wishing to comment on the proposal are invited to submit written comments to the department. Written comments must be received within **thirty days of the date that this notice is posted**. Comments will become part of the record and will be considered in the final decision. The applicant's name and permit number should be referenced. Send all written comments to the department's address listed below and to the attention of the permit coordinator.

**PUBLIC HEARING:** Interested persons may request in writing that the department hold a public hearing on this application. The request must be filed within the comment period, indicate the interest of the person requesting it, the reasons that the hearing is warranted, and the water quality issues being raised. When there is sufficient public interest in water quality issues, the department will hold a public hearing. Send all public hearing request to the department's address listed below and to the attention of the permit coordinator.

**APPEAL:** A permit appeal may be filed, pursuant to T.C.A. §§ 69-3-105(i) and Rule 0400-40-05, by the permit applicant or by any aggrieved person who participated in the public comment period announced by this notice. This petition must be filed within THIRTY (30) DAYS after public notice of the issuance of the permit. The petition must specify what provisions are being

appealed and the basis for the appeal. It should be addressed to the technical secretary of the Tennessee Board of Water Quality, Oil and Gas at the following address: Dr. Sandra Dudley, Director, Division of Water Resources, William R. Snodgrass Tennessee Tower, 312 Rosa L. Parks Ave, 12<sup>th</sup> floor, Nashville, TN 37243. Any hearing would be in accordance with T.C.A. §§69-3-110 and 4-5-301 et seq.

**FILE REVIEW:** The permit application, supporting documentation including detailed plans and maps, and related comments are available at the department's address (listed below) for review and/or copying.

Tennessee Department of Environment & Conservation  
Division of Water Resources, Natural Resources Unit  
William R. Snodgrass Tennessee Tower  
312 Rosa L. Parks Avenue, 11th Floor  
Nashville, Tennessee 37243

